

Sixth Appellate District

San Jose, California

MONDAY, JANUARY 10, 2000

H020329 PEOPLE v. SIMPSON

The judgment is affirmed. (not published)
(Wunderlich, J.; We concur: Bamattre-Manoukian, Acting P.J.,
Mihara, J.)
Filed January 10, 2000

H018095 PEOPLE v MILLER

The true findings on the allegations regarding the
Minnesota attempted robbery conviction and the Utah burglary are
reversed, the sentence imposed is vacated, and the judgment is
otherwise affirmed. The matter is remanded to the trial court
for further proceedings and resentencing. (not published)
(Elia, J.; We concur: Cottle, P.J., Premo, J.)
Filed January 10, 2000

TUESDAY, JANUARY 11, 2000

The Court met in its courtroom at 333 West Santa Clara
Street, Suite 1060, San Jose, California. Present: Cottle, P.
J.; Premo, J.; Elia, J.; and Nancy M. Olea, Deputy Clerk.

H018609 PEOPLE v DAVIS

Cause called and argued by Peter Goldscheider appearing for
appellant and by Laurence K. Sullivan, Deputy Attorney General,
appearing for respondent. Cause ordered submitted.

H018869 PEOPLE v LOPEZ

Cause called and argued by Donald R. Tickle appearing for
appellant and by Christina V. Kuo, Deputy Attorney General,
appearing for respondent. Cause ordered submitted.

H019439 PEOPLE v GARCIA

Cause called and argued by Dallas Sacher appearing for
appellant and by Martin S. Kaye, Deputy Attorney General,
appearing for respondent. Cause ordered submitted.

Sixth Appellate District

San Jose, California

Tuesday, January 11, 2000 (continued)

H019425 EVERGREEN CITIZENS COALITION v CITY OF SAN JOSE, et al.;
SIKH GURDWARA-SAN JOSE

Cause called and argued by Peter Uzzi appearing for appellant, by Joseph Diciuccio, Deputy City Attorney, appearing for respondent City of San Jose and by Chuck Reed appearing for real party in interest. Cause ordered submitted.

H018951 IN RE MARRIAGE OF KATZ; KATZ v KATZ

Cause called and argued by Aaron Katz appearing in propria persona and by Carolyn Katz appearing in propria persona. Cause ordered submitted. Court recesses until 1:30 p.m.

The Court reconvened at 1:30 p.m in its courtroom at 333 West Santa Clara Street, Suite 1060, San Jose, California. Present: Cottle, P. J.; Premo, J.; Elia, J.; and Judy Son, Deputy Clerk.

H018741 PEOPLE v. STRONG

Cause called and argued by Zaheer Zaidi appearing for appellant and by Ronald E. Niver, Deputy Attorney General, appearing for respondent. Cause ordered submitted.

H018146 PEOPLE v. CORREIA

Cause called and argued by Robert Riggs appearing for appellant and by Eric D. Share, Deputy Attorney General, appearing for respondent. Cause ordered submitted.

H019509 AIRE SHEET METAL, INC. v. SAN JOSE UNIFIED SCHOOL DISTRICT, et al.

Cause called and argued by Charles W. Losness appearing for appellant and by Kathryn Luhe appearing for respondent San Jose Unified School District, and by Richard McDonald appearing for real party in interest and respondent O.C. McDonald, Inc. Cause ordered submitted.

Sixth Appellate District

San Jose, California

Tuesday, January 11, 2000 (continued)

H019363 ALEXANDER CASTELLANOS v. COASTAL PROVIDERS OF SAN LUIS
OBISPO

Cause called and argued by Mary Ann Bluhm appearing for
appellant and by Mitchell Green appearing for respondent. Cause
ordered submitted.

H019087 HARRIS, et al. v. PINKERTON SECURITY & INVESTIGATIONS,
INC.

Cause called and argued by Charles Wisch appearing for
appellants and by Thomas Brown appearing for respondent. Cause
ordered submitted. Court is adjourned.

H017593 PEOPLE v. TYSON

The section 12022, subdivision (a)(1) enhancements are
stricken. As modified, the judgment is affirmed. (not published)
(Elia, J.; We concur: Cottle, P.J., Premo, J.)
Filed January 11, 2000

H019088 MB ASIA CAPITAL CORPORATION v ALPHATEC USA, INC., et al.

The order appealed from is affirmed. MB Asia is awarded
costs on appeal as the prevailing party herein. (not published)
(Premo, J.; We concur: Cottle, P.J., Elia, J.)
Filed January 11, 2000

H018750 PEOPLE v. HOLMES

(Filed order modifying opinion.) The petition for rehearing
is denied. This modification does not affect the judgment. (not
published)
(Bamattre-Manoukian, Acting P.J.; Wunderlich, J., Mihara, J.)
Filed January 11, 2000

Sixth Appellate District

San Jose, California

Tuesday, January 11, 2000 (continued)

H018518 HOLMES v. MOELLER; FOREST RIVER PROPERTY OWNERS ASSN.
By the Court*:

Appellant's petition for each party to bear own costs is denied.

Dated: January 11, 2000

*Before Bamattre-Manoukian, Acting P.J., Wunderlich, J. and Mihara, J.

WEDNESDAY, JANUARY 12, 2000

The Court met in its courtroom at 333 West Santa Clara Street, Suite 1060, San Jose, California. Present: Cottle, P. J.; Premo, J.; Elia, J.; and W. Magsaysay, Deputy Clerk.

H019267 ACRI v. VARIAN ASSOCIATES, INC.

Cause called and argued by Peter MacLaren appearing for appellant and by Lynne C. Hermle appearing for respondent. Cause ordered submitted.

H017584 ROVAI, et al. v. GARDEN CITY, INC., et al.

Cause called and argued by Charles A. Hansen appearing for appellants and by Susan M. Popik appearing for respondents. Cause ordered submitted.

H018753 IN RE THE MARRIAGE OF TABIBIAN

Cause called and argued by Ron W. Saxman appearing for appellant and by Gary L. Olimpia appearing for respondent. Cause ordered submitted.

H019847 AVANT! CORPORATION v. SUPERIOR COURT (NEQUIST)

Cause called and argued by Darin W. Snyder appearing for petitioner and by Valerie M. Wagner appearing for real party in interest. Cause ordered submitted. Court recesses until 1:30 p.m.

Sixth Appellate District

San Jose, California

Wednesday, January 12, 2000 (continued)

The Court reconvened at 1:30 p.m in its courtroom at 333 West Santa Clara Street, Suite 1060, San Jose, California. Present: Cottle, P. J.; Premo, J.; Elia, J.; and R. W. Norvelle, Deputy Clerk.

H020111 PEOPLE v. AMERICAN CONTRACTOR INDEMNITY

Cause called and argued by Harry A. Oberhelman III appearing for appellant and by Justin B. Lighty appearing for respondent. Cause ordered submitted.

H019376 LOMBARDI, et al. v. FERREIRA, et al.

Cause called and argued by Gary Ransone appearing for appellants and by Michael P. Masuda appearing for respondents. Cause ordered submitted.

H018214 COHEN v. MARKS, et al.; HIGHLAND INSURANCE COMPANY

Cause called and argued by Alyssa A. Milman appearing for appellant and by Neil Rosenbaum appearing for respondent. Cause ordered submitted.

H019792 LEE, et al. v. CITY OF LOS ALTOS; PARKHURST, et al.

Cause called and argued by Robert E. Carey, Jr. appearing for appellants and by Robert K. Booth appearing for respondent City of Los Altos and by Harry I. Price appearing for respondents Parkhurst, et al. Cause ordered submitted. Court adjourns.

H018304 WHITE v. HUNTER, et al.

The judgment as to defendant Skemp is reversed. In all other respects the judgments are affirmed. Appellant to bear costs on appeal. (not published)

(Mihara, J.; We concur: Bamattre-Manoukian, Acting P.J., Wunderlich, J.)

Filed January 12, 2000

Sixth Appellate District

San Jose, California

Wednesday, January 12, 2000 (continued)

H017216 SMITH v. WEST

The order modifying custody and terminating child support is reversed. Costs on appeal are awarded to mother. (not published)

(Elia, J.; We concur: Cottle, P.J., Premo, J.)

Filed January 12, 2000

THURSDAY, JANUARY 13, 2000

H017809 ABBATE v. ESPINOSA, et al.

By the Court*:

Appellant's petition for rehearing is denied.

Dated: January 13, 2000

*Before Bamattre-Manoukian, Acting P.J., Wunderlich, J. and Mihara, J.

H019340 PEOPLE v. ORTEGA

The judgment is affirmed. (not published)

(Mihara, J.; We concur: Bamattre-Manoukian, Acting P.J., Wunderlich, J.)

Filed January 13, 2000

FRIDAY, JANUARY 14, 2000

H019439 PEOPLE v. GARCIA

The judgment is affirmed. (not published)

(Cottle, P.J.; We concur: Premo, J., Elia, J.)

Filed January 14, 2000

H018146 PEOPLE v. CORREIA

The judgment is affirmed. (not published)

(Cottle, P.J.; We concur: Premo, J., Elia, J.)

Filed January 14, 2000

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Sixth Appellate District
San Jose, California

Friday, January 14, 2000 (continued)

H018741 PEOPLE v. STRONG

 The judgment is reversed. (not published)
(Cottle, P.J.; We concur: Premo, J., Elia, J.)
Filed January 14, 2000

H018710 PEOPLE v. WESLEY

By the Court*:

 Appellant's petition for rehearing is denied.
Dated: January 14, 2000
*Before Bamattre-Manoukian, Acting P.J., Wunderlich, J. and
Mihara, J.

H018634 PEOPLE v. KU

By the Court*:

 Appellant's petition for rehearing is denied.
Dated: January 14, 2000
*Before Cottle, P.J., and Premo, J.